

FILED
DISTRICT COURT OF GUAM
NOV 18 2005 *9P*
MARY L.M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

**MOTION TO FILE
ELECTRONICALLY
TRANSMITTED COPIES**

Defendants

Case 1:05-cv-00025 Document 93 Filed 11/18/2005 Page 1 of 6

Defendants Bayer CropScience, Inc. and The Dow Chemical Company (Defendants) move to file with the Court electronically transmitted copies of the Affidavit of George S. Goodridge and the Declaration of Thomas E. Moran, in support of Defendants' 1) Motion to Dismiss for Lack of Personal Jurisdiction; and 2) Joinder in Defendant Georgia-Pacific Corporation's Motion to Dismiss Based on Improper Venue. The originals will be filed with the court upon receipt by counsel.

November 18, 2005.

DOOLEY ROBERTS & FOWLER LLP

By:

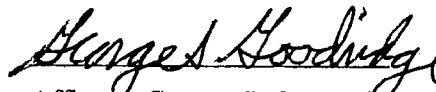


JON A. VISOSKY
Attorneys for Defendants

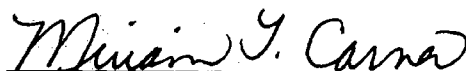
AFFIDAVIT OF GEORGE S. GOODRIDGE

GEORGE S. GOODRIDGE personally appeared before me in Durham County, State of North Carolina, and having been duly sworn, according to law, made the following affidavit, to wit:

1. I am over the age of 18 and am competent to and do testify to the matters herein on personal knowledge.
2. I am the Assistant Secretary of Bayer CropScience, Inc. and, in that role, I have become familiar with the company history and corporate history of its predecessors.
3. Bayer CropScience, Inc. is incorporated under New York law and has a principal place of business in Research Triangle Park, North Carolina. It is the current corporate successor to Amchem Products, Inc. and the Benjamin Foster Company.
4. Bayer CropScience, Inc. has no offices or plants in Guam and owns no property in Guam.
5. Bayer CropScience, Inc. is not licensed or qualified to do business in Guam and it does not do business on Guam. Bayer CropScience, Inc. does not engage in any direct sales or marketing on Guam and does not advertise for business on Guam. Bayer CropScience, Inc. has no officers, directors, employees or agents residing in or domiciled on Guam.
6. Bayer CropScience, Inc. has no telephone listing or mailing address in Guam. Bayer CropScience, Inc. has no bank accounts in Guam.


Affiant – George S. Goodridge

Sworn to and subscribed before me this 15th day of November, 2005.


Notary Public – Miriam T. Carver

My commission expires June 13, 2010.

Attorneys for Defendants Garlock, Inc., Viacom, Inc., successor by merger to CBS Corporation, formerly known as Westinghouse Electric Corporation, Foster Wheeler Corporation, Bayer CropScience, Inc., as Successor-in-Interest to Amchem Products, Inc., and The Dow Chemical Company

Cess Navarro Olmo,
Ronnie Pascual Perreras,

V.

Defendants

DECLARATION OF THOMAS E. MORAN IN SUPPORT OF MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT

I, Thomas E. Moran, declare as follows:

1. I am a resident of the State of Michigan, over eighteen years of age and competent to give this declaration in support of The Dow Chemical Company's Motion to Dismiss Plaintiffs' First Amended Complaint. The facts contained in this affidavit are based upon my personal knowledge, information and belief and are true and correct.

2. I am an Assistant Secretary of The Dow Chemical Company.

3. The Dow Chemical Company was incorporated in the state of Delaware, U.S.A. Its principal place of business is in Midland, Michigan.

4. The Dow Chemical Company has no office, mailing address, telephone listing, or telephone account in Guam.

5. The Dow Chemical Company maintains no bank account in Guam.

6. The Dow Chemical Company is neither qualified, nor licensed, to conduct business in Guam.

7. The Dow Chemical Company does not conduct business in Guam.

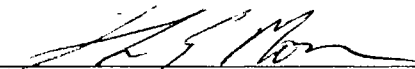
8. The Dow Chemical Company has no officers, directors, employees or agents residing or domiciled in Guam.

9. The Dow Chemical Company does not own property in Guam;

10. The Dow Chemical Company does not engage in any direct sales to or marketing in Guam.

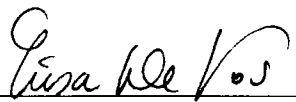
I declare under penalty of perjury that the foregoing is true and correct.

Executed November 15, 2005, at Midland, Michigan.



Thomas E. Moran

Subscribed and sworn to by me
this 15th day of November, 2005.



Notary Public

Lisa De Vos
Notary Public, Saginaw County, Michigan
Acting in Midland County
My Commission Expires February 16, 2007